

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R	23	\$	DEMAND	JUDGE	JURY	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR								OTHER	NUMBER	DEM.	YR.	NUMBER
1085/4	75	0390	08	25	75	03	850	01					28	8509		75	0390-B

PLAINTIFFS

DAVIS, Lucille

DEFENDANTS

VAN ALSTYNE ASSOCIATES, INC.
SOLNIKOV, William I.
VAN ALSTYNE, NOEL & CO

CAUSE

Securities Act of 1933 (15 U.S.C. Sec. 77a et seq.) and Securities Exchange
Securities Act of 1934 (15 U.S.C. Sec. 78a et seq.) - fraudulent sale of
securities

ATTORNEYS

Mr. Ted M. Riseling
Kothe, Nichols, & Wolfe, Inc.
124 East 4th Street
Tulsa, Oklahoma 74103
918-584-5182

Everett T/ Brown, Jr. (Solnikov)
205 Thurston National Bldg.
5th & Main
Tulsa, Oklahoma 74103

Alfred B. Knight
(Attorney for Van Alstyne
Assoc., Van Alstyne, Noel
& Col) 310 Beacon Bldg. 74103

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	9-1-75
				JS-6	8-1-76

DATE	NR.	PROCEEDINGS
8-25-75	1.	Complaint filed, summons issued. mm
8-29-75		Alias Summons, issued. lm
9-16-75	2.	Motion to Dismiss on Ground that Indispensable Party Not Joined, filed. lm
9-16-75	3.	Affidavit of Service, filed. lm
9-19-75	4.	Brief in Support of Motion to Dismiss, filed. lm
9-19-75	MO	Ordered by the Court that pltf. is given ten days from this date to file a responsive brief to deft's Motion to Dismiss. lm ltrs mld
9-25-75	5.	Pltf's Reply Brief to Deft. Solnikov's Mtn. to Dismiss, filed.jj
10-1-75		US Marshals Service ret. & filed by serving Complaint & Summons on <u>Van Alstyne, Noel & Co.</u> by serving Mr. James E. Pratt, General Counsel, in New York on 9-16-75 W/fees of \$4.36.mm
10-1-75		US Marshals Service ret.& filed by serving Complaint & Summons on <u>Van Alstyne Associates, Inc.</u> by serving Robert Reed, Sec. State of Delaware, in Dover on 9-4-75 W/fees of \$15.28.mm
10-1-75		US Marshals Service ret. & filed by serving Complaint & Summons on <u>William I. Solnikov</u> in Tulsa on 8-27-75 W/fees of \$3.00.mm
10-20	6.	Request to Clerk for Entry of Default, filed. lm
10-20	7.	Clerk's Default, filed. Default entered as to deft. Van Alstyne Assoc. & deft. Van Alstyne, Noel & Co. lm
10-20	8.	Motion for Judgment by Default by the Court, filed. lm
10-20	9.	Brief in Support of Motion for Judgment by Default by the Court, filed. lm
10-24	MO	Case set for hearing on Pltf's motion for Judgment by Default by the Court as to Defts. Van Alstyne Assoc. & Van Alstyne, Noel & Co. on 11-5-75 at 10:00 a.m. (AEB-J)k cps mld <i>to come notice</i>
10-28	10	Notice of Hearing on Pltf's Mtn. for Default Judgment, filed.jj
11-5-75		Case called for hearing on Pltf's motion for default judgment. Parties represented. Mr. Riseling makes statement & requests continuance of hearing. Hearing passed to 11-11-75, at 10:00 A.M., Pltf. to notify parties & prepare order in 3 days.(AEB-J)b
11-6	11	Order, filed, continuing hrg. re pltf's mot. for default judgment until 11-11-75 at 10:00 a.m. (AEB-J)k cps mld
11-7	12.	Pltf's notice to Defts. Van Alstyne Assoc., & Van Alstyne, Noel & Co. of hrg./judg. on 11-11-75 at 10:00 a.m., filed.k cps mld by cert mail
11-11	MO	Case called for hrg. on pltf's mot. for default judgment as to Defts. Van Alstyne Assoc. & Van Alstyne, Noel & Co. Pltf. represented. Defts. not present or represented. Pltf's mot. is sustained. Pltf. makes statement re amt. of fees: judgment in amt. of \$12,935.50 actual damages, atty. fee in amt. of \$3,000.00, and costs in amt. of \$35.00. Attorney R. L. Davidson placed under oath and states atty. fee is reasonable. Atty. Todd Markum placed under oath & concurs w/ statement of R. L. Davidson. Fees and costs allowed by Court. Pltf. to prepare Order within three (3) days. (AEB-J)k

(continued)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-390</u>
Lucille Davis		Van Alstyne Associates, Inc. et al	PAGE <u>3</u> OF <u>2</u> PAGES
DATE	NR.	PROCEEDINGS	
11-13-	13.	Default Judg. filed and entered that Lucille Davis have and recover judg. against defts. Van Alstyne, Noel & Co., and Van Alstyne Assoc., Inc. jointly and severally in amt. of \$12,935.50 + int. at 6% + cost of this action of \$35.00 + atty fees in amt. of \$3,000. (AEB-J)jj	
11-14	MO	Case referred to Magistrate Bradford for F&R re all pending mots. (AEB-J)k	
11-20	14	Mo. of Defts., Van Alstyne Assoc., Van Alstyne, Noel & Co., to set aside default judg., filed. tc	
11-20	15	Brf. in support of Mo., filed. tc	
	Mo	It is ord. by the court that pltf., is granted 10 days from this dt. to resp. to defts., Van Alstyne Assoc., Inc., and Van Alstyne, Noel & Co., Mo. to set aside default judg., tc lts mld.	
12-1	16.	Pltf's brief in response to defts' mo. to set aside default judgment and appl. for order requiring defts to reimburse pltf. and post security, filed. ph	
12-15	MO:	It is ordered by the Ct. that the defts. file a responsive brief within 10 days to the Pltf's appl. for order requiring defts. to reimburse pltf. and post security. (AEB-J)ph cps. mld.	
<u>1976</u>			
1-6	17.	Appl. of defts. Van Alstyne Asso., Inc. and Van Alstyne, Noel & Co. for ext. of time to file response brief to Pltf's appl. for order requiring deft. to reimburse pltf. and post security, filed. ph olo	
1-7	18.	Order, filed, granting defts. Van Alstyne Asso., Inc. and Van Alstyne, Noel & Co. until 1-26-76 to file responsive brief to Pltf's appl. for order requiring deft. to reimburse pltf. and post security, (AEB-J)ph cps. mld.	
1-12	19	Pltf's interrog. to deft. Van Alstyne, Noel & Co., filed.k	
1-12	20	Pltf's interrog. to deft. Van Alstyne Assoc., Inc., filed.k	
1-13	21	Motion of Counsel to Withdraw (Richard D. Wagner, Atty), filed. tc (o-J brought in on Jan. 15)	
1-19	MO:	Case set for hrg. before Mag on 2-18-76 at 2:00 p.m. (MLB-Mag)ph cpy by KT	
2-18	MO	Case called for hrg. before Mag. Bradford on motions. Parties present. Mag. recommends deft. Solnikov's mot. to dismiss be denied, and defts. Van Alstyne Assoc. & Van Alstyne, Noel & Co.'s mots. to set aside default judgment be denied. Pltf. counsel to prepare F&R and proposed order w/in 5 days. (MLB-Mag)k	
2-20	22	Findings & Recommendations of Mag., filed. Recommends Deft. Solnikov's mot. to dismiss be denied. (MLB-Mag)k cps mld	
2-20	23	Findings & Recommendations of Mag., filed. Recommends mot. to set	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
Lucille Davis		William I. Solnikov, et al	PAGE <u>4</u> OF <u>2</u> sheets PAGES
DATE 1976	NR.	PROCEEDINGS	
		aside default judgment as to defts. Van Alstyne Assoc. & Van Alstyne, Noel & Co. be denied. (MLB-Mag)k cps mld	
3-4	24	Order, filed, denying motion of deft. Van Alstyne, Noel & Co. to set aside default judgment. (AEB-J)g cp. mld.	
3-4	25	Order, filed, denying motion of deft. Wm. I. Solnikov to dismiss. (AEB-J)g cp mld.	
6-17	MO	Case set for disposition on 7-12-76, 11:00 a.m. for failure of Deft. to answer (due 3-14-76)(AEB-J)b nts by cert ml	
7- 9	26	Answer of Wm. I Solnikov, filed. g	
7-12		Case called for disposition for failure of deft. to answer. Parties represented. Statements made. Pltf to see about dismissing w/out prejudice subject to collection of Judgment from corporate defts. Pltf. to advise Ct. w/in 3 days as to dismissal. (AEB-J)b	
7-27	27.	Pltf's motion for dismissal, filed.k	
7-27	28.	Pltf's memorandum brief in support of mot. for dismissal, filed.k 0 and entered	
7-30	29.	Order, fld./ that Pltf., Lucille Davis, be allowed to dismiss her claim and cause of action and compl. w/o prejudice. (AEB-J)v -cps. mld.	